

DIOGENES NUNEZ AND SATURNIO SANTOS

Index #: 11CV2553

Plaintiff(s)

- against -

Date Filed:

SHIRT RESTAURANT CORP. D/B/A ISLAND RESTAURANT ET AL

AFFIDAVIT OF SERVICE

Defendant(s)

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

BYRAN E. MCELDERRY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION AND OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on April 26, 2011 at 03:00 PM at

C/O ISLAND RESTAURANT
1305 MADISON AVENUE
NEW YORK, NY 10128

deponent served the within true copy/copies of the SUMMONS & COMPLAINT on JOHN MCLAUGHLIN, the defendant/respondent therein named,

**SUITABLE
AGE**

by delivering thereat a true copy/copies of each to ANNA BERZAN a person of suitable age and discretion. Said premises is the defendant's/respondent's actual place of business within the state. She identified herself as the CO-WORKER of the defendant/respondent.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx.)
FEMALE	WHITE	BROWN	39	5'0	130

MAILING

Deponent enclosed a true copy/copies of same in a postpaid wrapper properly addressed to the defendant/respondent at the defendant's/respondent's actual place of business at

C/O ISLAND RESTAURANT
1305 MADISON AVENUE
NEW YORK, NY 10128


and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on April 27, 2011 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside envelope thereof, by return address or otherwise that the communication is from an attorney or concerns an action against the party to be served.

**MILITARY
SERVICE**

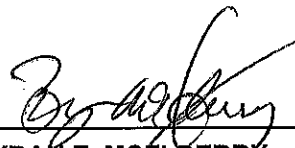
Person spoken to was asked whether the defendant was in the military service of the State of New York or the United States and received a negative reply. Upon information and belief based upon the conversation and observation as aforesaid deponent avers that the defendant is not in the military service of the State of New York or the United States as that term is defined in the statutes of the State of New York or the Federal Soldiers and Sailors Civil Relief Act.

Sworn to me on: April 27, 2011

Linda Forman
Notary Public, State of New York
No. 01FO5031305
Qualified in New York County
Commission Expires August 1, 2014


Robin Forman
Notary Public, State of New York
No. 01FO6125415
Qualified in New York County
Commission Expires April 18,
2013

GOTHAM PROCESS INC.
299 Broadway
New York NY 10007


BYRAN E. MCELDERRY
License #: 869802
Docket #: 754609